

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed February 5, 2009. Claims 1 and 3-14 were pending in the present application. This Amendment amends claims 1 and 13, cancels claims 5-7 without prejudice, and adds new claim 15, leaving pending in the application claims 1, 3, 4, and 8-15. Applicants submit that no new matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

Double Patenting Rejection

Claims 1 and 5 in the present application are provisionally rejected under nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of co-pending U.S. Patent Application No. 10/946,146, filed September 20, 2004.

Although Applicants disagree with the rejection, solely in order to expedite prosecution a terminal disclaimer is filed herewith. Accordingly, the double patenting rejection is believed to be overcome.

35 U.S.C. §103 Rejection of Claims 1, 3, and 5-13

Claims 1, 3, and 5-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blocher et al. (U.S. Publication No. 2002/0194059, hereinafter “Blocher”) in view of “The Internal Auditor, Segregation of duties in ERP,” October 2003, Vol. 60, Iss. 5, pg. 27, Susan S. Lightle, Cynthia Waller Vallario (hereinafter “Lightle”). Applicants respectfully traverse the rejection.

Applicants’ independent claim 13, as amended, recites:

An audit system comprising:

a storage component configured to store:

a business process library comprising a plurality of business processes, each business process including one or more business functions, each business function being associated with a list of one or more other business functions that are incompatible with said each business function;

a set of business processes specific to an enterprise, the set of business processes representing a subset of the plurality of business processes in the business process library; and

a business function compatibility registry specific to the enterprise that includes a set of business function incompatibilities, each business function incompatibility identifying at least two business functions that should not be simultaneously assigned to a single employee of the enterprise; and

at least one processing component in communication with the storage component, the at least one processing component being configured to:

receive, from an auditor, a selection of a business process from the business process library for inclusion in the set of business processes; and

add a business function included in the selected business process and its associated list of incompatible business functions to the business function compatibility registry.

(Applicants' independent claim 13, as amended, emphasis added).

Support for the amendments to claim 13 may be found in the Specification at, for example, paragraphs 30, 85, and 118. No new matter is added.

Applicants respectfully submit that the features of claim 13 are not rendered obvious by Blocher or Lightle, considered individually or in combination. For example, Blocher and Lightle fail to teach or suggest "[storing] a business process library comprising a plurality of business processes, each business process including one or more business functions, each business function being associated with a list of one or more other business functions that are incompatible with said each business function" and "[storing] a set of business processes specific to an enterprise, the set of business processes representing a subset of the plurality of business processes in the business process library" as recited in claim 13.

The Office Action does not identify any section of Lightle that teaches the recited "business process library" and "set of business processes" of claim 13. However, the Office Action asserts that these features are shown in Blocher. (Office Action: pgs. 13-14). Applicants respectfully disagree.

Blocher is directed techniques for arranging information pertaining to identified "control points," or risks, of a business process into a centralized document (referred to as a "control point template"). (Blocher: Abstract). As shown in FIG. 1 of Blocher, control point

information for a business process is received at a review system 22. This information may include, for example, information about a particular control point, a set of tests used to identify the control point, and a set of actions designed to address the control point. (Blocher: para. 49). Once received, the control point information is arranged into a standardized template 26, which is stored in database 32. Template 26 can then be accessed by reviewers 28 and/or auditors 34 and used as a reference in reviewing/auditing the business process. (Blocher: para. 50).

Thus, at best, Blocher merely discloses the general concept of storing risk information for various business processes (in the form of control point templates). Applicants submit that the notion of storing risk information does not teach or suggest the specific feature of storing a business process library where each business process in the library “includes one or more business functions, each business function being associated with a list of one or more other business functions that are incompatible with said each business function” as recited in claim 13.

Even assuming *arguendo* that Blocher may be construed as teaching the recited business process library of claim 13, Blocher still fails to teach or suggest storing “a set of business processes specific to an enterprise, the set of business processes representing a subset of the plurality of business processes in the business process library” as recited in claim 13. The Office Action cites various sections of Blocher as teaching this set of business processes, but these cited sections merely refer to the same control point templates that the Office Action relies on to shown the recited business process library of claim 13. However, the business process library and set of business processes recited in claim 13 are distinct entities that are stored separately, where the set of business processes represent a subset of the business processes in the business process library. No disclosure pertaining to these features could be found in Blocher.

Accordingly, Blocher and Lightle fail to teach or suggest “[storing] a business process library comprising a plurality of business processes, each business process including one or more business functions, each business function being associated with a list of one or more other business functions that are incompatible with said each business function” and “[storing] a set of business processes specific to an enterprise, the set of business processes representing a subset of the plurality of business processes in the business process library” as recited in claim 13.

Further, Blocher and Lightle fail to teach or suggest “receiv[ing], from an auditor, a selection of a business process from the business process library for inclusion in the set of business processes” and “add[ing] a business function included in the selected business process and its associated list of incompatible business functions to the business function compatibility registry” as recited in claim 13.

The Office Action does not identify any section of Blocher that teaches the “receiv[ing]...” and “add[ing]...” features of claim 13. However, the Office Action asserts that these features are shown in Lightle at paragraphs 8-12. (Office Action: pg. 16). Applicants respectfully disagree.

The cited sections of Lightle describe, a general manner, a process by which an auditor may add “conflicts” to an “SOD” (Segregation of Duties) matrix. However, the Lightle reference does not indicate where this conflict information is derived from, or under what conditions it would be added to the matrix. In contrast, claim 13 specifically recites receiving a selection of a business process from a business process library for inclusion in a set of business processes specific to an enterprise, and then adding a business function included in the selected business process and its associated list of incompatible business functions to an incompatibility registry. Thus, claim 13 indicates that incompatible business function information is added to a registry based on a selection of a business process from a business process library for inclusion in an enterprise-specific set of business processes, and that the incompatible business function information is based on data associated with the selected business process. These specific features could not be found in Lightle.

Accordingly, Blocher and Lightle fail to teach or suggest “receiv[ing], from an auditor, a selection of a business process from the business process library for inclusion in the set of business processes” and “add[ing] a business function included in the selected business process and its associated list of incompatible business functions to the business function compatibility registry” as recited in claim 13.

For at least the foregoing reasons, even if Blocher and Lightle were combined (although there appears to be no rationale for combining), the resultant combination would not

teach or suggest all of the features of independent claim 13. Accordingly, Applicants submit that claim 13 is allowable and respectfully request that the rejection of claim 13 be withdrawn.

Claims 5-7 have been canceled without prejudice and thus the rejection of these claims is moot.

Claims 1, 3, and 8-12 depend (either directly or indirectly) from independent claim 13, and are thus allowable for at least a similar rationale as discussed for claim 13, and others.

35 U.S.C. §103 Rejections of Claims 4 and 14

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blocher in view of Lightie and further in view of Wefers et al. (International Publication No. WO 2005/055098, hereinafter “Wefers”). Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blocher in view of Lightie and further in view of Flaxer et al. (U.S. Publication No. 2004/0162741, hereinafter “Flaxer”). Applicants respectfully traverse the rejections.

Claims 4 and 14 depend from independent claim 13, which is not rendered obvious by Blocher and Lightie as described above. As best understood, Wefers and Flaxer do not provide any teaching that would remedy the deficiencies of Blocher and Lightie in this regard. Accordingly, Applicants submit that claims 4 and 14 are allowable for at least a similar rationale as discussed for claim 13, and others.

New Claim 15

Claim 15 has been added to cover various embodiments of the present invention. Applicants submit that support for claim 15 may be found in the Specification at, for example, paragraphs 15 and 17. No new matter is added.

Claim 15 recites features that are substantially similar to independent claim 13. Accordingly, claim 15 is allowable over the cited art for at least a similar rationale as discussed for claim 13, and others.

Amendments to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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